

MINUTES

North Dakota State Water Commission
 Meeting-Public Hearing Held At
 Mandan Community Center
 Mandan, North Dakota

April 17, 1978

The North Dakota State Water Commission held a meeting on April 17, 1978, in the Mandan Community Center, Mandan, North Dakota, in conjunction with a public hearing on the rules and regulations of the North Dakota State Water Commission governing the use of water for irrigation purposes. Governor-Chairman, Arthur A. Link, called the meeting to order at 10:15 a.m., and requested Secretary Vernon Fahy to present the agenda.

MEMBERS PRESENT:

Arthur A. Link, Governor-Chairman
 Richard Gallagher, Vice Chairman, Mandan
 Alvin Kramer, Member from Mandan (only April 17)
 Gordon Gray, Member from Valley City
 Arlene Wilhelm, Member from Dickinson
 Arthur Lanz, Member from Devils Lake (only April 18)
 Myron Just, Commissioner, Department of Agriculture, Bismarck
 Vernon Fahy, Secretary and State Engineer, North Dakota
 State Water Commission, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
 Approximately 200 persons interested in acreage limitations public
 hearings for both April 17 and 18

Attendance Register is on file in the State Water Commission office for April 17 and 18, 1978 (filed with official copy of minutes)

Proceedings of this meeting and public hearings were tape recorded and filed in office of the State Water Commission.

CONSIDERATION OF EXECUTION
 OF AGREEMENT WITH HOUSTON
 ENGINEERING, INC. FOR
 ENGINEERING WORK ON SOUTHWEST
 NORTH DAKOTA WATER STUDY
 (SWC Project No. 1674)

At the March 16, 1978 meeting, the Commission members were informed that in February, 1978, a decision was made to hire a consultant to do the engineering, environmental and socio-economic phases of the Dickinson and Southwest North Dakota Water Supply Feasibility Study.

Applicants were interviewed and the engineering consultant hired to do this work was Houston Engineering, Inc. from Fargo, North Dakota.

Secretary Fahy indicated that a contract has been prepared which is agreeable to both the State Water Commission and the engineering firm. He distributed copies of the Work Task Flow Schedule for the Commission's information, noting that it is a cost-plus contract with a fixed sealing for the engineers to perform those tasks necessary to work with the Citizens Committee in the West River area and that they arrive at an analysis of the costs of delivery of water to the 14-county area south and west of the river.

It was requested by Secretary Fahy that the Commission authorize the State Engineer to execute the contract between the State Water Commission and Houston Engineering, Inc., effective this date.

It was moved by Commissioner Wilhelm, seconded by Commissioner Gallagher, and carried, that the State Engineer be authorized to execute the contract between the State Water Commission and Houston Engineering, Inc. for the Dickinson and Southwest North Dakota Water Supply Feasibility Study.

**FURTHER CONSIDERATION OF
RULES AND REGULATIONS FOR
WATER MANAGEMENT PROCEDURES
IN MINED-LAND AREAS**

Mike Dwyer, Legal Counsel for the State Water Commission, indicated that on March 13, 1978, a joint hearing was held with the Public Service Commission, Workmen's Compensation Bureau and

State Water Commission on the proposed rules and regulations of the North Dakota State Water Commission and the North Dakota State Engineer to be Adopted Pursuant to Title 61 of the North Dakota Century Code Governing Water Resources on Surface Mining Areas. The record was held open until March 31. At the Commission's March 16 meeting, a number of suggested changes were made by Commission members. These changes were incorporated into the rules and forwarded to the Commission members for their consideration.

Notice has been published that this item will be considered this date for adoption by the Commission.

It was moved by Commissioner Just, and seconded by Commissioner Gallagher that the Water Commission adopt the Rules and Regulations Governing Water Resources on Surface Mining Areas as revised.

In discussion of the motion, Commissioner Wilhelm expressed that she was pleased with the revised proposal.

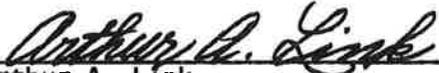
All members voted aye on the motion; motion carried.

April 17, 1978

PUBLIC HEARINGS ON RULES AND
REGULATIONS OF THE NORTH DAKOTA
STATE WATER COMMISSION PROPOSED
TO BE ADOPTED PURSUANT TO TITLE 61
OF THE NORTH DAKOTA CENTURY
CODE GOVERNING THE USE OF WATER
FOR IRRIGATION PURPOSES
(SWC Project No. 1400)

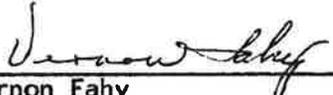
A complete transcript of the hearings was prepared and on file in the office
of the State Water Commission.

The Commission held two public hearings
on the Rules and Regulations of the
North Dakota State Water Commission
Proposed to be Adopted Pursuant to
Title 61 of the North Dakota Century
Code Governing the Use of Water for
Irrigation Purposes; one in Mandan
on April 17, and the other hearing
was held in Jamestown on April 18.



Arthur A. Link
Governor-Chairman

ATTEST:



Vernon Fahy
State Engineer and Secretary

April 17, 1978